

Response dated: July 29, 2009  
App. No.: 10/791,916 Filed: March 3, 2004  
Response to Office Action of April 29, 2009

### **CLAIM LISTING**

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1 – Claim 46 (Cancelled)

Claim 47 (Currently amended): A method of treating a patient with congestive heart failure, comprising:

providing a device comprising an inflatable partitioning element with a peripheral edge  
[[and]] having at least one hook or barb anchoring element extending from the  
peripheral edge;  
positioning the device within a ventricular chamber of the patient's heart;  
inflating the inflatable partitioning element with an inflation fluid;  
anchoring engaging the peripheral edge of the inflatable partitioning element [[with]] to a  
wall of the ventricular chamber to secure the device to the wall of the ventricular  
chamber and to partition the chamber into a productive chamber and a non-productive  
chamber so that the peripheral edge separates the productive and non-productive  
chambers portions; and  
spacing a distal face of the inflatable partitioning element from a region of a ventricular  
wall defining at least in part the non-productive ventricular chamber.

Claim 48 (Previously presented): The method of claim 47 wherein the device further comprises a distal extending support element which spaces the partitioning element.

Claim 49 (Previously presented): The method of claim 47 further comprising delivering the inflatable partitioning element in a deflated configuration and expanding the inflatable partitioning element within the patient's heart.

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Claim 50 (Previously presented): The method of claim 47 further comprising positioning the device within an inner lumen of an elongated catheter, percutaneously introducing the catheter into the patient's vasculature, and advancing the device therein to the patient's heart wherein the device is discharged from the catheter.

Claim 51 (Cancelled)

Claim 52 – Claim 71 (Cancelled)

Claim 72 (Previously presented): The method of claim 47 wherein the inflating step comprises introducing an inflation fluid other than blood into an interior portion of the inflatable partitioning element.

Claim 73 (Currently amended): A method of treating a patient with congestive heart failure, comprising the steps of:

- a. providing a treatment device having an inflatable partitioning element with a peripheral edge [[and]] having at least one hooked or barbed anchoring element extending from the peripheral edge;
- b. providing an inflatable supporting element extending distally from the inflatable partitioning element;
- c. positioning the treatment device within a ventricular chamber of the patient's heart; inflating the inflatable partitioning element with an inflation fluid;
- d. engaging anchoring the peripheral edge of the partitioning element with a to secure the device to the wall of the ventricular chamber and to partition the chamber into a productive chamber and a non-productive chamber so that the peripheral edge separates the productive and non-productive chambers portions; and
- e. spacing a distal face of the inflatable partitioning element from a region of a ventricular wall defining at least in part the non-productive ventricular chamber.

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Claims 74-92 (Cancelled)

Claim 93 (Currently Amended): A method of treating a patient with congestive heart failure, comprising:

positioning the an inflatable device within a ventricular chamber of the patient's heart; inflating an inflatable partitioning element of the inflatable device with an inflation fluid, wherein the inflatable partitioning element comprises at least one hook or barb anchoring element extending from the peripheral edge; engaging and securing anchoring the [[a]] peripheral edge of the inflatable partitioning element with a wall of the ventricular chamber to partition the chamber into productive and non-productive chambers so that the peripheral edge separates the productive and non-productive chambers portions; and spacing a distal face of the inflatable partitioning element from a region of a ventricular wall defining at least in part the non-productive ventricular chamber.

Claim 94 (New): The method of claim 47 or 93, wherein the step of positioning the device within the ventricular chamber comprises extending a supporting element from the distal face of the inflatable partitioning element to separate the distal face of the inflatable partitioning element from the wall of the ventricular chamber.

Claim 95 (New): The method of claim 73, wherein the step of positioning the device within the ventricular chamber comprises extending the supporting element from the distal face of the inflatable partitioning element to separate the distal face of the inflatable partitioning element from the wall of the ventricular chamber.